



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

DEC 12 2018

Tarkanian for Congress (C00465963) (Terminated)
Chrissie Hastie, Treasurer
3008 Campbell Circle
Las Vegas, NV 89107

RE: MUR 7415

Dear Ms. Hastie:

On June 27, 2018, the Federal Election Commission ("Commission") notified you of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended (the "Act"). On December 6, 2018, based upon the information contained in the complaint and information provided by respondents, the Commission decided to dismiss allegations that Tarkanian for Congress and you in your official capacity as treasurer violated provisions of the Act. The Commission then closed its file in this matter. A copy of the General Counsel's Report, which more fully explains the basis for the Commission's decision, is enclosed.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003) and Statement of Policy Regarding Placing First General Counsel's Reports on the Public Record, 74 Fed. Reg. 66132 (Dec. 14, 2009). If you have any questions, please contact Kristina Portner, the attorney assigned to this matter, at (202) 694-1518.

Sincerely,

Lisa J. Stevenson
Acting General Counsel

BY: 
Jeff S. Jordan
Assistant General Counsel

Enclosure:
General Counsel's Report

BEFORE THE FEDERAL ELECTION COMMISSION

**ENFORCEMENT PRIORITY SYSTEM
DISMISSAL REPORT**

MUR: 7415

Respondents: Tarkanian for Congress
and Chrissie Hastie, as
Treasurer ("the Committee"),
Danny Tarkanian
Tarkanian Basketball Academy,
and JAMD LLC¹

Complaint Receipt Date: June 20, 2018

Response Date: July 26, 2018

EPS Rating:

**Alleged Statutory
Regulatory Violations:**

**52 U.S.C. §§ 30118, 30122
11 C.F.R. §§ 110.4(b), 114.2**

The Complaint alleges that Tarkanian Basketball Academy, through JAMD LLC and Danny Tarkanian as intermediaries, made a loan in June 2012 in the name of another to the Committee. Respondents deny the allegation. The five-year statute of limitations for the imposition of monetary civil penalties applicable to the alleged activity expired before the Complaint was filed. *See* 28 U.S.C. § 2462.

Based on its experience and expertise, the Commission has established an Enforcement Priority System using formal, pre-determined scoring criteria to allocate agency resources and assess whether particular matters warrant further administrative enforcement proceedings. These criteria include (1) the gravity of the alleged violation, taking into account both the type of activity and the amount in violation; (2) the apparent impact the alleged violation may have had on the electoral process; (3) the complexity of the legal issues raised in the matter; and (4) recent trends in potential violations and other developments in the law. This matter is rated as low priority for Commission action after application of these pre-established criteria. Given that the statute of

¹ Danny Tarkanian was a 2012 candidate for the U.S. House of Representatives in Nevada's Fourth District, and is currently a 2018 candidate for the U.S. House of Representatives in Nevada's Third District. The last Statement of Organization filed on June 7, 2013, lists Chrissie Hastie as the treasurer for the Committee, however, her response indicates that she resigned as treasurer on September 13, 2010.

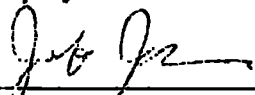
limitations for the imposition of civil monetary penalties expired before the Complaint was filed, we recommend that the Commission dismiss the Complaint consistent with the Commission's prosecutorial discretion to determine the proper ordering of its priorities and use of agency resources. *Heckler v. Chaney*, 470 U.S. 821, 831-32 (1985). We also recommend that the Commission close the file as to all Respondents and send the appropriate letters.

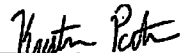
Lisa J. Stevenson
Acting General Counsel

Kathleen M. Guith
Associate General Counsel

9.17.18
Date

BY: 
Stephen Gura
Deputy Associate General Counsel


Jeff S. Jordan
Assistant General Counsel


Kristina M. Portner
Attorney

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